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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 JENNIFER SIMATIC,

11 Plaintiff,

12 v.

13 COMMISSIONER OF SOCIAL  
14 SECURITY,

15 Defendant.

CASE NO. 3:21-cv-05180-MJP-JRC

ORDER TO FILE PROPOSED  
BRIEFING SCHEDULE

16 The District Court has referred this case to the undersigned. Dkt. 19. The matter is  
17 before the Court on the parties' joint status report (Dkt. 20) and plaintiff's amended complaint  
18 (Dkt. 25).

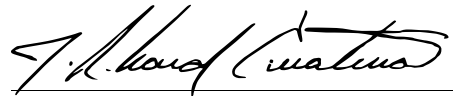
19 In the joint status report, plaintiff, who is *pro se*, states that she wishes to obtain  
20 discovery on her Freedom of Information Act ("FOIA") claims. Dkt. 20, at 3–4. Defendant  
21 takes the position that discovery is unavailable in this case. Dkt. 20, at 4. Defendant proposes  
22 that the parties stipulate to a proposed summary judgment briefing schedule. Dkt. 20, at 6.  
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1 Generally, in lieu of discovery, the defendant in a FOIA case will supply declarations  
2 explaining the agency's search process, which documents were withheld, why the documents  
3 were withheld, and why disclosure would damage the interest protected by a claimed statutory  
4 exemption. *See Withey v. Fed. Bureau of Investigation*, No. C18-1635-JCC, 2020 WL 885974,  
5 at \*1 (W.D. Wash. Feb. 24, 2020) (citing authorities and explaining that "[i]n FOIA cases, the  
6 general rule is that discovery is unavailable"). "Summary judgment is the procedural vehicle by  
7 which nearly all FOIA cases are resolved." *Shannahan v. I.R.S.*, 637 F. Supp. 2d 902, 912 (W.D.  
8 Wash. 2009) (internal citation and quotation marks omitted).

9 Therefore, the Court directs the parties to confer and to provide this Court with a  
10 proposed summary judgment briefing schedule. The parties shall provide a proposed briefing  
11 schedule on or before August 13, 2021.

12 A copy of this Order shall be mailed to plaintiff.

13 Dated this 14th day of July, 2021.

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15 J. Richard Creatura  
16 Chief United States Magistrate Judge